

## ANCIENT MARYLAND BLUE LAWS MAY SOON BE REPEALED

### Arrest of Trio on Sunday Labor Charge May Bring Judicial Action.

As a result of the arrest of Cecil Husband, Orey Weaver Smith, and Viola Collins at Glen Echo on charges of working on Sunday the famous blue laws of Maryland, which have been on the statute books for nearly 200 years and have been more or less rigidly adhered to since that time, may be repealed by judicial action before the next Legislature of the State is convened.

If a judicial repeal is effected it will be based upon the opinion in a case arising in the District of Columbia nearly five years ago.

The three persons arrested will have a hearing at Rockville tomorrow morning. Judge Boyd will be asked by John Garrett, attorney for the arrested employees, for writs of certiorari. If these are issued or are not the cases will be taken before Federal Judge Rose, at Baltimore, on the ground that the statute is unconstitutional, in that it does not provide for a jury trial. A decision from the Federal court is expected during the winter.

#### Law Passed in 1723.

The act under which the three persons were arrested is an ancient law. It was passed in 1723, and provides that "no persons whatsoever shall work or do any bodily labor on the Lord's Day, commonly called Sunday, and that no person having children, servants, or slaves shall command or wilfully suffer any of them to do any manner of work or labor on the Lord's Day (works of necessity and charity always excepted) nor shall suffer any children, servants, or slaves to profane the Lord's Day by gaming, fishing, fowling, hunting, or unlawful pastimes or recreation; and that every person transgressing this act and being thereof convicted by the oath of one sufficient witness or confession of the party before the police court (or single magistrate) shall forfeit 200 pounds of tobacco to be levied and applied as aforesaid."

This quaint old statute was part of a general act designed "to punish blasphemers, swearers, drunkards, and Sabbath breakers." When the Federal Government took over the District of Columbia it took with it the laws of Maryland. As a result the blue laws were part of the District laws, although forgotten for the most part in practice. In January, 1908, Charles Robinson was arrested under this act of working on Sunday. The Police Court did not hold him guilty of a violation of law and the District attorneys carried the case to the Court of Appeals. On January 21, 1908, Judge Van Ordel delivered an opinion affirming the action of the lower court.

#### Religious Rather Than Civil.

"While it is within the constitutional power of the legislature to impose such public the civil duty of observing one day in seven as a day of rest," said Judge Van Ordel, "it is beyond its power to impose observance of Sunday as a purely religious duty."

"The act of the assembly as Maryland of 1723 was intended to enforce the observance of the Sabbath as a religious obligation, and is not only unconstitutional in this district and not legally enforceable under our constitutional form of government, but so much of it as prohibits labor on that day is impliedly repealed by various acts of Congress applying to this District and prohibiting particular kinds of labor on Sunday."

In discussing the case, Judge Van Ordel admitted that it was well within the rights of legislatures to prohibit labor on Sunday, but considering the blue laws as a whole, and when he reached the conclusion that they were designed to prohibit a deprecation of the Sabbath rather than to impose a day of rest, the statute was religious rather than civil. In his opinion, and under a constitution granting complete religious freedom, was therefore unconstitutional.

This view of the purpose of the old blue laws is not only based on historical facts, but the penalty exacted for blasphemy seems to sustain it. Under these old laws the blasphemer was fined \$20 sterling for the first offense, was branded on the forehead with the letter "B" by a red-hot iron for the second offense, and was to be put to death "without benefit of clergy" on conviction for the third.

#### Come Before Legislature.

Judge Van Ordel's opinion, as a delivery from the Federal bench, will be a precedent for future Federal interpretations. Relying on this fact, and the further fact that the blue laws in point do not provide for trial by jury, Mr. Garrett is confident that the ancient statutes will be completely knocked out of the Maryland legislature.

A majority of the members were in favor of repeal, but a strong feeling there were so many views on what should be substituted for them that action was finally deferred. This subject agitated the Maryland legislature much for a few weeks. The Glen Echo amusement managers have been pushing for repeal, and have attempted enforcement of the blue laws because, they assert, similar amusement resorts near Baltimore have been run wide open.

"There are very few counties in Maryland where anyone has had so little good sense as to attempt to enforce these obsolete laws."

As long as they stand unimpaired on the Maryland statutes, however, they will be a menace to the Sunday laborer.

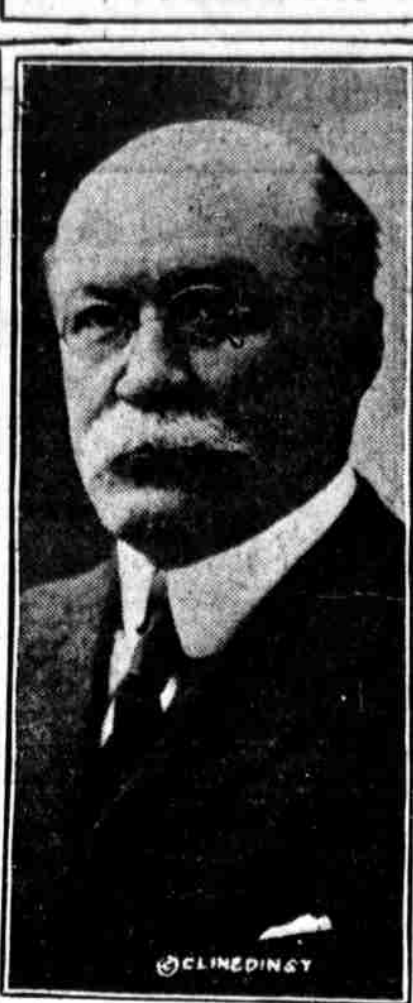
### Atlantic Coast Line Schedule Is Resumed

The schedule of the Atlantic Coast Line trains, broken yesterday by a freight wreck south of Richmond, Va., has been re-established today. Officials of the company announce that the trains all along the line are running again on schedule time. The trains due to arrive in this city yesterday were between fourteen and fifteen hours late.

### Every Little Adjective Cost Him Fifty Cents

A fine of 50 cents per adjective was imposed on George Murat, motorcyclist, in Police Court this morning. Murat was arraigned charged with causing "prolonged, intense, noxious, undue, unnecessary and offensive smoke on a highway" by Policeman Davis, of the Third precinct. Judge Mullowny heard the testimony in the case and fined the motorcyclist \$5.

## Prominent Men Celebrating their Birthdays



GOV. HIRAM JOHNSON

HOKE SMITH



MAJ. GEN. CHARLES HUMPHREYS

SUMNER I. KIMBALL

FOSDICK UNEARTHS NEW EVIDENCE FOR N. Y. GRAFT PROBE

JEREMIAH W. JENKS

GEN. BOOTH'S WORK

MEMORIAL SERVICE IN DISTRICT LAUDS

Startling Revelations Predicted and Plot Against Whitman Involved.

All Classes Gather in Fitting Tribute to Dead Chief of Salvationists.

NEW YORK, Sept. 2.—Graft revelations so sensational as to be almost unbelievable were declared certain today following the turning over to District Attorney Whitman and Attorney Buckner by the aldermanic investigators of every piece of evidence amassed by former Commissioner of Accounts Fossdick. This evidence, carefully arranged so that it can be presented to Justice Goff at once, dovetails into evidence already in District Attorney Whitman's hands. Best of all, from the prosecutor's standpoint, however, is the fact that involved are a number of persons familiar with the plan to discredit certain of Whitman's assistants by means of false affidavits that they accepted bribes to go easy on white slaves.

Whitman is angry that this plot "leaked" and was prematurely published so that planned arrests of every person concerned were prevented. With plenty of moral proof he has no legal evidence to show how this plot was worked out, but today admitted that he hoped, as the result of Fossdick's efforts, to be able to force certain persons to appear before Justice Goff in the "John Doe" proceedings scheduled for the week and furnish the legal proof needed for successful prosecutions.

The Fossdick proof is declared so sweeping that it will materially shorten the "John Doe" inquiry. The former Commissioner of accounts, who has just given up his job to go into business, had been working on a graft investigation since last February. He involved in the plot a score of high police officials above the rank of lieutenant and, according to both his statement and that of Whitman, has the "goods." His evidence shows dates, amounts and the identity of the payer and payee and is so conclusive that Whitman said today that it could be presented to the grand jury at once. Whitman plans to summon before Justice Goff every man mentioned by the Burns detectives who was working up the plot to discredit his assistants by means of false affidavits and force them to tell what they know. He intends to trace the fund raised for the purpose and even to the politicians and that way grant immunity to some resort proprietors, so far as that particular item is concerned, he believed he will have enough against them on other transactions and will be able to get in this case two police inspectors, one captain, three lieutenants and a number of plain clothes men. What he wants particularly is evidence against a lawyer and former assemblyman, who is alleged to have been the brains of the conspiracy. This man has a heavy practice among the underworld leaders and Whitman admits that he is anxious to have him discredited.

Both men collapsed after Mahoney landed them on the beach, and were under the care of a physician several hours.

Mahoney fled after the rescue to escape the throngs who cheered him and sought to shake his hand.

Mahoney saw the men in distress at 2 o'clock this afternoon. Through glasses it was seen they were on an overturned canoe and Mahoney started for a boat. Failing to find one he quickly donned a life preserver and plunged into the breakers.

For three-quarters of an hour he battled against a heavy wind, a strong current and high seas, and when he got the men they had been washed from the bottom of the canoe and were being kept afloat by life preservers.

Hicks was almost drowned. His head was hanging in the water and was being kept afloat by a life preserver. Grabbing him by an arm Mahoney held his head out of the water. Smalley rested one hand on Mahoney's shoulder and then the latter started for the shore, towing the two.

Smalley became stronger as they neared the beach, released his hold and swam alongside of Mahoney and Hicks. Mahoney dragged and pushed Hicks the entire distance to the shore, where the rescued men fell exhausted.

"Women and the Tariff" Is Speaker's Subject

A Democratic meeting will be held next Thursday night, September 5, under the auspices of the District Branch of the Woman's National Democratic League, in the Southern building, to which the women of the District, regardless of politics, are cordially invited.

The meeting will be addressed by Col. H. Martin Williams, on the subject "Women and the Tariff."

Justice Is Speedy In Police Courts

With neatness and dispatch the police courts of Judge Mullowny and Judge Aukam disposed of "business" this morning.

Owing to the accumulation of Saturday night and Sunday cases the court opened at 8:30 o'clock and disposed of the grist at such a rapid rate that adjournment came before 11 o'clock.

DIVIDENDS

MERGENTHALER LINOTYPE CO.

A regular quarterly dividend of 2 1/2 per cent and an extra dividend of one-half of one per cent on the capital stock of Mergenthaler Linotype Company will be paid on September 26, 1912, to the stockholders of record as they appear at the close of business on September 1, 1912. The Transfer Books will not be closed.

FRED K. J. WARBURTON, Treasurer.

## ME AND WOMEN OF FAME HAVE NATAL ANNIVERSARY TODAY

### List Includes Gov. Johnson, of California, and Sumner I. Kimball.

This day is the birthday of a number of the most prominent men and women of Washington and of the United States, who today are observing the anniversary of their births in varying ways. The second man on the Progressive party Presidential ticket—Gov. Hiram Johnson, of California—is combining politics with personal affairs today, and is observing his forty-sixth natal day.

Among the Washingtonians whose day of birth is September 2 is Superintendent Sumner I. Kimball, of the United States Life-Saving Service, who is seventy-eight years old.

#### Governor Johnson Forty-Six.

This is the forty-sixth birthday of Governor Johnson, of California. He was born in Sacramento, Cal., September 2, 1866, and was educated at the University of California. He studied law and was admitted to the bar at twenty-one years of age. He began to practice in Sacramento, but later went to San Francisco and became noted as a criminal lawyer. His assistance in the prosecution of the so-called "graft" cases in San Francisco added to his reputation. His prominence as a leader of the reform element led to his nomination and election to the governorship in 1910.

In better health than ever, Sumner I. Kimball, who has been superintendent of the United States Life-Saving Service since its creation, is celebrating his seventy-eighth birthday today. To all outward appearances he is as young as when he assumed his present place twenty years ago.

Almost from the year of his birth in Lebanon, Maine, in 1834, his life has been an active one. When but seventeen years of age he taught school on Cape Cod one season, and a few years later was practicing law. With the demand for additional help in the government departments at the beginning of the civil war, he came to Washington in 1861. Ten years later he was chief clerk in the auditor's office of the War Department, and a few years later he joined the Life-Saving Service. To him, more than to any other man, is due the present efficiency of that service.

#### Birthday of Senator Smith.

Senator Smith of Georgia is celebrating his fifty-seventh birthday today, and Congressman Flood of Virginia has reached his forty-seventh year. Maj. Gen. Charles F. Humphrey, formerly quartermaster general of the United States, is now sixty-eight years of age. President W. W. Finley, of the Southern railway, is being congratulated on his fifty-ninth birthday. Henrietta Crossman, the actress, is forty-two years old today, and Prof. Frederick Starr, the noted anthropologist of the University of Chicago, is observing his fifty-fourth natal day. This Labor Day it is also the birthday of Prof. Jeremiah W. Jenks, who has been tentatively named as financial adviser of the new Chinese government. He is fifty-six years old.

### B. & O. Establishes Free Labor Bureau

With a view of bringing the unemployed or those desiring to better their condition of employment in direct touch with the officials who hire railroad men, the Baltimore and Ohio Railroad Company has established a free labor bureau, which will have branches in Washington, Cincinnati, Cleveland and Chicago.

H. R. Bricker has been appointed head of the bureau with the title of labor agent. Central offices have been established in Baltimore for the purpose of employing skilled and unskilled labor for all grades of the railroad service. The fact that railroads are frequently confronted by a financial crisis at certain points on their lines, notwithstanding the great army of unemployed in the country, is the reason for the establishment of the bureau. It is stated that the principle of the new bureau is in no way identical with the labor contract system, but that the bureau will be operated solely for the Baltimore and Ohio Railroad Company. The labor agent is connected with the maintenance of way department, although help will be furnished all other branches of the service.

### Dr. Wiley to Speak To Conservationists

Dr. Harvey W. Wiley and Dr. W. J. McGee, of Washington, are on the program of the National Conservation Congress, which meets in Indianapolis October 1. Dr. Wiley is chairman of the committee on food and is expected to make some well-defined observations on conservation as affected by foods and food preparation.

In addition to the scientists who are members of the association, 300 of the most prominent physicians in the United States will be invited to attend the session. An attendance from South America is also expected.

## HYATTSVILLE EDWARDS CORNERSTONE OF NEW CIVIC HOUSE

### Municipal and Fire Department Building Officially Declared Under Way.

HYATTSVILLE, Md., Sept. 2.—The cornerstone of the new municipal and fire department building which is being erected on Johnson avenue, just above Maryland avenue, was laid today with appropriate ceremonies. The Rev. H. L. Bivens opened with prayer, which was followed by the singing of "The Star-Spangled Banner," by Mrs. J. B. Waters, of Riverdale, and Mrs. Howard Orr, of Hyattsville, assisted with a chorus of forty voices.

Appropriate speeches were made by Mayor Harry W. Shepherd, the three surviving former mayors, Dr. Charles A. Wells, V. F. Magruder and Roger A. Bell, and Fire Chief Edward Devlin. The stone was then laid by Mr. Hermon Lodge, No. 178, A. F. A. M., of which Mayor Shepherd is worshipful master. After the stone was placed in position the ceremonies were concluded with the singing of Maryland, "My Maryland" by all present.

Immediately after the laying of the stone, the scene of the Labor Day program was transferred to Wine's woods, where an athletic program will be carried out. The main event of the afternoon will be a baseball game between the married men of the town and the regular Hyattsville team of the Prince George County League.

The public schools of this county will open their doors for the fall and winter term on Monday, September 16.

The Maryland Reporter, a local weekly newspaper, has been purchased by William J. Perkins. It was formerly owned by the late John McCormick and was recently sold by the administrator of the estate to William J. Perkins, who in turn sold it to Mr. Perkins.

The Ladies' Aid and Missionary Society of the local Presbyterian Church will hold their regular monthly meeting at the home of Mrs. M. L. MacNeal, Wine avenue, tomorrow.

Miss Helen Virginia McFarland is visiting friends and relatives in Lynchburg, Va.

Father Dolan, of St. Jerome's Catholic Church of the city, preached the first sermon in St. Hilda's Church, the new Catholic edifice in Berwyn.

Judge and Mrs. William H. De Lacy and children, of Washington, were the guests of Mr. and Mrs. M. F. Halloran, of Owens avenue, recently.

### Aero Club Reinstates Racing Airship Men

At the request of the Aero Club of Illinois, which is seeking capable racing pilots to represent the United States in the forthcoming international aviation meet at Chicago, the Aero Club of America has removed the suspension from Paul Peck, the young Washington aviator, and Lincoln Raschey, both of whom flew in the Boston meet in June, which was not sanctioned by the Aero Club of America. Six other well known aviators who flew in this meet also have been reinstated.

### Brazil to Entertain American Scientists

When the total eclipse of the sun occurs in Brazil, on October 10, the scientists of the United States who are making a visit to that nation will be the guests of the government. For their entertainment, along with visitors from other countries, \$25,000 has been appropriated by the government. All scientists in the United States will be welcome at that time, according to advice received here from the American embassy in Rio de Janeiro.

### Wabash Freight Goes Into River, Crew Missing

WHEELING, W. Va., Sept. 2.—A fast freight train on the Wabash jumped the track five miles north of Wellburg, W. Va., shortly before noon today. The entire train rolled into the creek and is almost entirely submerged. The engineer swam out, but the fireman and others of the crew are missing.

### FINANCIAL

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Same rate of interest paid on both large and small accounts.

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### FINANCIAL

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LOCAL STOCKS bought and sold on same favorable terms as we offer for trading in New York stocks and bonds.

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Are those that do not fluctuate during disturbed conditions of the money or stock markets. First deed of trust notes (first mortgage), well secured on real estate in the District of Columbia, constitute "all-edge" investments. They do not depend upon the financial responsibility of individuals or corporations for their stability, and are exempt from taxation as personal property. We can supply such investments in amounts from \$500 upward. Send for booklet, "Concerning Loans and Investments."

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## Times Want Columns

### SPECIAL NOTICES

THE VACUUM TREATMENT. ENFORCES, RESTORES THE CIRCULATION OF THE BLOOD AND NERVO-VITAL FLUIDS OF THE BODY TO THE NORMAL. IT INSURES YOUR HEALTH AND CURES THE CHRONIC INCURABLE (so-called) cases of LECOMOTOR-ATAXIA, BRIGHT'S DISEASE, DIABETES, INFANTILE AND ADULT PARALYSIS, ALZHEIMER'S OF THE SPINE, AND ALL FORMS OF NERVOUS DISEASES, INDIGESTION, BACK-ACHE, LAME BACK, CRAMPS IN LEGS, ARMS AND FEET, STOMACH AILMENTS, ASTHMA, NEURASTHENIA, NERVOUS EXHAUSTION, NEURITIS, NEURALGIA, SCIATICA and other RHEUMATISM, HARDENING OF THE ARTERIES, ARTERIO SCLEROSIS, VERTIGO, HEART DISEASE, THIRTY AILMENTS THAT RESULT FROM NERVOUS, DISAPPOINTMENT, OVERWORK, EITHER MENTAL OR PHYSICAL, AND THE INFIRMITIES OF AGE. It is all accomplished through ITS INFALLIBLE ABILITY TO RESTORE THE CIRCULATION OF THE BLOOD AND NERVO-VITAL FLUIDS "of the body" to the NORMAL HEALTH.

LADIES

THE VACUUM TREATMENT WILL CURE YOU, after all Physicians, all medicines and all other systems fail. IT WILL RESTORE YOUR CIRCULATION OF THE BLOOD, WILL MAKE GOOD AND GIVE YOU RELIEF after it has been DENIED YOU from EVERY other source.

BOOKLET AND CONSULTATION at office or by mail free. LADY ASSISTANT, Hours: 10 a. m. to 4 p. m. SUNDAY, 11 to 1 p. m. and by APPOINTMENT.

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Come and let me tell you how and why the VACUUM TREATMENT excels all others and will CURE YOU after every other agent has failed. IT WILL DO US BOTH GOOD. Bring this ad with you, it is good for your first treatment.

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A young experienced South African farmer is prepared to become an American countryman. If Americans can make it worth while in the ostrich farming line, holds certificate of merit of the ostrich farming farmer in Africa, i. e., O. E. G. Evans, Esq., "Melrose Farm," East Port St. George, Bedfordshire, England. Write to GEO. GREEN, GRAD HOTEL, Kimberly, South Africa.

### MANTELS—TILING

On every description, all the latest patterns in Marble, Tile or Wood, and place trimmings, Gas Logs, Grates, Repairs, etc.

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### SLIP COVERS TO ORDER.

Five-piece suits only \$3.45. A 20-yard suit made of material used in making the representative will call with sample, \$3.45 f. n. w.

MT. RAINIER, MD., Sept. 2, 1912.—To whom it may concern, I am making it worth while for any debts contracted by any one other than myself, H. W. FAIRBANKS.

WILL not be responsible for any debts contracted by any one other than myself, H. W. FAIRBANKS.

NOTICE of the purchase of the fixtures and entire stock of the Hop Chung Lung Co., 214 1/2 St. N. W., is hereby given. The Chinese goods, groceries, etc., in the Hop Chung Lung Co., who after September 17, 1912, will be operated by a financial adviser of the Chinese government, who do not acquire any debts contracted by the Hop Chung Lung Co.

### CHARCOAL

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WILL HELEN STUART (white), late of Chevy Chase, send address to BOX 1, Times office.

### MIRROR BEAUTY PARLORS, 916 F St. N. W.

Try our "Beauty" line. Liberal reward. Hair dressing, shampooing, and facial massage.

### LOST AND FOUND

LOST—Pink coral necklace Saturday afternoon. Liberal reward for return to Apt. 61, The Victoria, 34th and Clifton sts. N. W.

LOST—Friday night, between Church st. and Dupont Circle, a shawl of black net and silver. Reward, 1701 Church st. N. W.

LOST—Pair of rimless eyeglasses on 11th st. car, Saturday night. Liberal reward, 110 H St. N. W.

LOST—Three weeks ago, diamond and opal stickpin. Finder will be rewarded by return of same to 1501 7th St. N. W., Lane 1, Yard.

LOST—Saturday morning on Capital Traction car at 14th and Avenue, pocketbook containing money, keys, rings. Reward if returned to 532 3d St. N. E.

LOST—Female collar about 6 months old; white and tan buck; hair oil brushy. 1633 New of 1st St. N. E. Liberal reward.

LOST—Gold bracelet between 8th and 9th and D Sts. N. E., or on the Capital Traction car to Great Falls. Reward if returned to 314 8th St. N. E.

LOST—Auto top cover. Reward. Finder return to Dupont Garage, 2020 M St. N. W.

FOUND—4 pair eyeglasses, 3 valves, 1 handkerchief, 1 cuff and button, 1 small locker, 1 hat, 2 bills, 5 packages, 2 bracelets, 3 suit cases, 3 rings, 1 sewing bag, 1 roll of paper, 1 roll blue-prints, 1 instrument, 1 toy, 1 watch, 1 cuff button, 1 pocketbook, 3 books, 1 fountain pen, 1 veil, 1 umbrella, 4 coats, 1 bag, 1 pin. WASHINGTON TERMINAL CO.

### HELP WANTED

Male and Female.

GIRL or boy to work on costumers coats; 24 floor, 311 9th St. N. E.